

In the United States District Court  
For the Northern District of Texas  
Dallas Division

John T. Lamont and Preston	§	
Poulter	§	
Plaintiffs	§	
	§	No. 3:21-cv-1176-K-BN
v.	§	
	§	
Dean Assaf et al.	§	
Defendants	§	

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**Declaration of Jeremy M. Masten**

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STATE OF TEXAS §

COUNTY OF BELL §

My name is Jeremy M. Masten. My date of birth is March 4, 1983, and my address is 2608 N. Main, Suite B, Box 238, Belton, Texas 76513. I declare under penalty of perjury that the following is true and correct.

1. “My name is Jeremy M. Masten. I am over 18 years of age and competent to make this declaration. The facts stated herein are true and correct and are within my personal knowledge.

2. I am an attorney representing Plaintiffs John T. Lamont and Preston Poulter in the above-captioned matter. I have reviewed the documents attached to Plaintiff’s response to Defendant Ethan Van Sciver’s motion to dismiss, to which this declaration is attached.

3. The document marked as PX 1 is a true and correct copy of each of

the four search results for the mark “Comicsgate” from the Trademark Electronic Search System operated by the United States Patent and Trademark Office.

4. The document marked as PX 2 is a true and correct copy of the docket for Cancellation No. 92075375, pending before the Trademark Trial and Appeal Board, as of September 12, 2021.

5. The document marked as PX 3 is a true and correct copy of the Order & Reasons entered as Doc. 52 on June 15, 2011, by the district judge in *Southern United States Trade Association v. Unidentified Parties*, Civil Action No. 10-1669, in the United States District Court for the Eastern District of Louisiana.”

Further affiant sayeth naught.

Signed under penalties of perjury on September 13, 2021.



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Jeremy M. Masten